

REMOTE CALLER BINGO

Frequently Asked Questions

What is remote caller bingo?

A remote caller bingo game means a game of bingo in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted, and the organization conducting the bingo game uses audio and video technology to link any of its in-state facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations owned, leased, or rented by that organization.

Which nonprofit organizations are eligible to conduct remote caller bingo?

The *types* of nonprofit organizations which may conduct remote caller bingo are described in detail in Penal Code section 326.3(b)(1) (effective 1-1-09), which should be reviewed for specific information. The following is a partial summary of these legal provisions:

- a mobile home park association
- a senior citizens organization
- a charitable organization affiliated with a school district
- An organization that is exempted from the payment of the bank and corporation tax by the Revenue and Taxation (R&T) Code:
 - a labor, agricultural or horticultural organization (R&T Code sec. 23701a)
 - a fraternal order (R&T Code sec. 23701b)
 - a corporation, community chest or trust, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition, etc. (R&T Code sec. 23701d)
 - a business league, chamber of commerce, real estate board, or board of trade (R&T Code sec. 23701e)
 - a social organization (R&T Code sec. 23701g)
 - religious or apostolic corporations (R&T Code sec. 23701k)
 - a domestic fraternal society (R&T Code sec. 23701l)
 - a veterans organization (R&T Code 23701w)

Nonprofit organizations falling into one of the above types must, in addition, satisfy the following requirements (Penal Code section 326.3(b)(2)-(4) (effective 1-1-09)):

- Have been in existence for three years or more;
- Be licensed by the local jurisdiction (city or county);
- Receipts of the game used only for charitable purposes; and
- Operation of bingo may not be the primary purpose for which the organization is formed.

What is the process for applying to participate in remote caller bingo?

SB 1369 requires an organization authorized to conduct remote caller bingo to provide the Commission with at least 30 days advance written notice of its intent to conduct those games. Please refer to the Commission's website (www.cgcc.ca.gov) to view the

Commission's November 24, 2008 letter to nonprofit organizations titled, Request for Letters of Intent to Conduct Remote Caller Bingo Pursuant to SB 1369. The Commission will issue a letter in January 2009, which will include a sample format for the letter of intent to conduct remote caller bingo.

MITIGATION PAYMENTS

What is the Charity Bingo Mitigation Fund?

SB 1369 allows nonprofit organizations that used electronic devices other than card-minding devices, in reliance on a local ordinance, to apply for payments from the Charity Bingo Mitigation Fund in an effort to ease the transition to remote caller bingo. Those payments are not a loan and do not need to be repaid. Applicants may apply for an amount up to net revenues generated from the use of electronic devices, other than card-minding devices, by the qualified organization for Fiscal Year ending June 30, 2008. All applications must be received no later than January 31, 2009. Funding amounts will be determined based on accumulated funding requests.

Are payments from the Charity Bingo Mitigation Fund a loan?

No.

Which nonprofit organizations are eligible for mitigation payments?

Nonprofit organizations that, as of July 1, 2008, used electronic devices other than card-minding devices to conduct games in reliance on an ordinance of a city, county, or city and county and have ceased using these devices, are eligible for mitigation funds. Please refer to the Commission's website (www.cgcc.ca.gov) to view the Commission's November 24, 2008 letter to nonprofit organizations, titled Mitigation Payments Pursuant to SB 1369, which provides additional information and includes an attached application to request bingo mitigation payment. The application must be accompanied by documentation, including a Board of Directors resolution documenting the organization's cessation of electronic device use, other than bingo card-minding devices, as of January 1, 2009.

Is the money in the Charity Bingo Mitigation fund currently available?

No, the Commission will require an executive order to transfer the funds, which order we expected to be issued in early January 2009.

If I obtain mitigation funds, can my organization conduct remote caller bingo?

Yes

CARD-MINDING DEVICES

What is a bingo card-minding device?

A portable, hand-held electronic device that is used by a bingo player to input the bingo numbers announced by the bingo caller.

Does the Commission need to approve all card-minding devices?

Yes. Please refer to the Commission's website (www.cgcc.ca.gov) to view the Commission's letter to bingo equipment and device manufacturers and suppliers titled, New Law Requiring Bingo Licensure and Card-Minding Device Approval Pursuant to SB 1369.

How do I obtain the State of California's approval of bingo card-minding devices?

To further the legislative intent of avoiding disruption of fundraising efforts by nonprofit organizations, the Commission has developed emergency regulations, which require manufacturers to self-certify that their devices meet the requirements specified in Penal Code section 326.5. An interim approval process has been established until such time as the Commission establishes in regulation specific additional criteria for the approval of card-minding devices. The California Gambling Control Commission adopted these emergency regulations on December 11, 2008. Please refer to the Commission's website at www.cgcc.ca.gov for additional information on this meeting.

I am a distributor of bingo card-minding devices. Can I certify the devices as compliant with SB 1369 requirements?

The manufacturer that developed and built the card-minding device, and maintains and modifies the software is required to certify the device's compliance with section 326.5 of the Penal Code, rather than a distributor or supplier that only makes the device available for use.

I run an organization, how will I know what devices have been approved by the Commission for use in California?

The Commission will post a list of approved devices on our website: www.cgcc.ca.gov.

LICENSE AND REGISTRATION

When can I submit my letter of intent to submit an application for licensure?

The Commission plans to implement interim regulations to expedite the implementation of remote caller bingo, therefore, we are requesting that you submit your letter of intent to apply by January 2, 2009. Please refer to the Commission's website (www.cgcc.ca.gov) to view letters that have been prepared for bingo organizations, and bingo manufacturers and suppliers. These letters include an attached sample letter of intent to submit an application.

How do I become licensed or registered with the State of California under the new Remote Caller Bingo law?

The Commission is considering the following license types and requirements, which will be reflected in emergency regulations developed by the Commission. A one-year *Interim* license/work permit with conditions will be issued for the following license types upon receipt and approval of an application for licensure. Commission staff anticipates that draft emergency regulations will be presented to the California Gambling Control Commission for consideration at a public hearing in January 2009.

Requirement	License Type	Licensing Requirements
PC 326.3(p)(1)(A)	Remote Caller Bingo License <ul style="list-style-type: none"> • Owners • Persons having fiduciary responsibility 	Fingerprints – no disqualifying criminal convictions Licensed elsewhere
PC 326.3(p)(1)(A)	Remote Caller Bingo Key Employee License <ul style="list-style-type: none"> • Site Managers 	Fingerprints – no disqualifying criminal convictions
PC 326.3(q) PC 326.3(t)(2)	Remote Caller Bingo Work Permits <ul style="list-style-type: none"> • Employees: <ul style="list-style-type: none"> • Administrative • Managerial • Technical • Financial • Security • Callers 	Fingerprints – no disqualifying criminal convictions
PC 326.3(p)(1)(B) PC 326.5(p)(3)(B) PC 326.5(p)(3)(C)	License for Traditional Bingo, Remote Caller Bingo, and Card-Minding Device Suppliers & Manufacturers Any person who directly or indirectly: <ul style="list-style-type: none"> • Manufactures • Distributes • Supplies • Vends • Leases • Provides: supplies, devices, services or other equipment (designed for use in playing bingo) 	Fingerprints – no disqualifying criminal convictions Licensed elsewhere

LOCAL ORDINANCE

If a city, county, or city and county wishes to authorize remote caller bingo, what must the local ordinance include?

First, the local ordinance must require remote caller bingo games to be conducted only in accordance with the requirements of Penal Code sections 326.3, including the following requirements:

- (1) The game may be conducted only by the following organizations:
 - (A) An organization that is exempted from the payment of the bank and corporation tax by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701w, or 23701 of the Revenue and Taxation Code.
 - (B) A mobilehome park association.

- (C) A senior citizens organization.
- (D) Charitable organizations affiliated with a school district.
- (2) The organization conducting the game shall have been incorporated or in existence for three years or more.
- (3) The organization conducting the game shall be licensed pursuant to subdivision (l) of Section 326.5.
- (4) The receipts of the game shall be used only for charitable purposes. The organization conducting the game shall determine the disbursement of the net receipts of the game.
- (5) The operation of bingo may not be the primary purpose for which the organization is organized.

Please refer to the text of SB 1369 on the Bingo Information page of the Commission's website at www.CGCC.ca.gov and FAQ "Which nonprofit organizations are eligible to conduct remote caller bingo?" for additional information.

Second, the local ordinance should reflect the state law requirements as stated in Penal Code section 326.5. The Sacramento County bingo ordinance was recently revised to reflect Penal Code section 326.5(p) by addressing requirements applying to card-minding devices and other changes made by SB 1369. Please refer to: http://municipalcodes.lexisnexis.com/codes/sacramento_co/

Copies of local ordinances submitted by organizations authorized to conduct remote caller bingo will be posted to the Commission's website in compliance with Penal Code section 326.3(i)(4)(H).